

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

IN RE PAUL FAIRFAX SOARES,  
Debtor/Appellant.

Case No. [5:18-mc-80016-HRL](#)

**ORDER RE MOTION TO APPEAL IN  
FORMA PAUPERIS**

Re: Dkt. No. 1

Debtor Paul Fairfax Soares seeks leave to proceed *in forma pauperis* (IFP) with respect to his appeal of orders issued by the United States Bankruptcy Court for the Northern District of California. Soares apparently filed his IFP application with the United States Bankruptcy Appellate Panel for the Ninth Circuit, which transferred the motion to this court on January 19, 2018. (Dkt. 1).

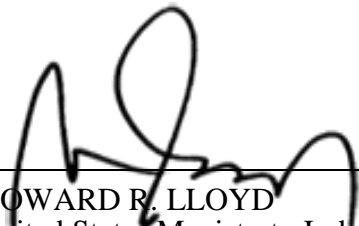
A court may authorize an appeal without prepayment of fees by a person who “submits an affidavit that includes a statement of all assets” the person possesses and shows “that the person is unable to pay such fees or give security therefor.” 28 U.S.C. § 1915(a). Having reviewed Soares’ application, the court finds that he has not provided sufficient information about his finances. Accordingly, Soares’ application to proceed on appeal IFP is denied without prejudice to his submission of a fully completed application to this court. For guidance, Soares is directed to the

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IFP application form this court uses, a copy of which is appended to this order.

SO ORDERED.

Dated: January 29, 2018

  
\_\_\_\_\_  
HOWARD R. LLOYD  
United States Magistrate Judge

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

Plaintiff,

vs.

Defendant.

CASE NO. \_\_\_\_\_

**APPLICATION TO PROCEED  
IN FORMA PAUPERIS**

**(Non-prisoner cases only)**

I, \_\_\_\_\_, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes \_\_\_\_ No \_\_\_\_

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: \_\_\_\_\_ Net: \_\_\_\_\_

Employer: \_\_\_\_\_

If the answer is "no," state the date of last employment and the amount of the gross and net salary

1 and wages per month which you received.

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

5 2. Have you received, within the past twelve (12) months, any money from any of the  
6 following sources:

7 a. Business, Profession or Yes \_\_\_\_ No \_\_\_\_  
8 self employment?

9 b. Income from stocks, bonds, Yes \_\_\_\_ No \_\_\_\_  
10 or royalties?

11 c. Rent payments? Yes \_\_\_\_ No \_\_\_\_

12 d. Pensions, annuities, or Yes \_\_\_\_ No \_\_\_\_  
13 life insurance payments?

14 e. Federal or State welfare payments, Yes \_\_\_\_ No \_\_\_\_  
15 Social Security or other govern-  
16 ment source?

17 If the answer is "yes" to any of the above, describe each source of money and state the amount  
18 received from each.

19 \_\_\_\_\_  
20 \_\_\_\_\_

21 3. Are you married? Yes \_\_\_\_ No \_\_\_\_

22 Spouse's Full Name: \_\_\_\_\_

23 Spouse's Place of Employment: \_\_\_\_\_

24 Spouse's Monthly Salary, Wages or Income:

25 Gross \$ \_\_\_\_\_ Net \$ \_\_\_\_\_

26 4. a. List amount you contribute to your spouse's support:\$ \_\_\_\_\_

27 b. List the persons other than your spouse who are dependent upon you for support  
28 and indicate how much you contribute toward their support. (NOTE: For minor

1 children, list only their initials and ages. DO NOT INCLUDE THEIR NAMES.)  
2 \_\_\_\_\_  
3 \_\_\_\_\_

4 5. Do you own or are you buying a home? Yes \_\_\_\_ No \_\_\_\_  
5 Estimated Market Value: \$ \_\_\_\_\_ Amount of Mortgage: \$ \_\_\_\_\_

6 6. Do you own an automobile? Yes \_\_\_\_ No \_\_\_\_  
7 Make \_\_\_\_\_ Year \_\_\_\_\_ Model \_\_\_\_\_  
8 Is it financed? Yes \_\_\_\_ No \_\_\_\_ If so, Total due: \$ \_\_\_\_\_  
9 Monthly Payment: \$ \_\_\_\_\_

10 7. Do you have a bank account? Yes \_\_\_\_ No \_\_\_\_ (Do not include account numbers.)  
11 Name(s) and address(es) of bank: \_\_\_\_\_  
12 \_\_\_\_\_  
13 Present balance(s): \$ \_\_\_\_\_

14 Do you own any cash? Yes \_\_\_\_ No \_\_\_\_ Amount: \$ \_\_\_\_\_  
15 Do you have any other assets? (If "yes," provide a description of each asset and its estimated  
16 market value.) Yes \_\_\_\_ No \_\_\_\_  
17 \_\_\_\_\_

18 8. What are your monthly expenses?  
19 Rent: \$ \_\_\_\_\_ Utilities: \_\_\_\_\_  
20 Food: \$ \_\_\_\_\_ Clothing: \_\_\_\_\_

21 Charge Accounts:

22 <u>Name of Account</u>	<u>Monthly Payment</u>	<u>Total Owed on This Account</u>
23 _____	\$ _____	\$ _____
24 _____	\$ _____	\$ _____
25 _____	\$ _____	\$ _____

26 9. Do you have any other debts? (List current obligations, indicating amounts and to whom  
27 they are payable. Do not include account numbers.)  
28 \_\_\_\_\_

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\_\_\_\_\_

10. Does the complaint which you are seeking to file raise claims that have been presented in other lawsuits? Yes \_\_\_\_ No \_\_\_\_

Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in which they were filed.

\_\_\_\_\_

\_\_\_\_\_

I declare under the penalty of perjury that the foregoing is true and correct and understand that a false statement herein may result in the dismissal of my claims.

\_\_\_\_\_

DATE SIGNATURE OF APPLICANT